

# Notice of Allowability

Application No.

09/688,187

Examiner

Julian D. Huffman

Applicant(s)

SESHIMO ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 14 March 2005.
2. ☒ The allowed claim(s) is/are 1-5, 7, 8, 14-17, 20, 27, 35, 36 and 39-51.
3. ☒ The drawings filed on 29 January 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Carl Pellegrini on 18 May 2005.

The application has been amended as follows:

In the abstract:

line 3, replaced "storage means" with "a storage device";

lines 4-5, replaced "print control means" with "a print controller"; and

line 6, replaced "means" with "device".

In the claims:

Claim 51:

line 10, replaced "the" in the phrase "the general-purpose drive condition" with "a";

lines 10-11, replaced the language "the determination by the determination section" with "a result of the determining".

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

The primary reason for the allowance of claims 1-3 is the inclusion of the limitation of an ink jet recording apparatus including a control means which determines that, if the recording apparatus executes subsequent print operation upon input of a continuation instruction by a user, the recording apparatus generates the caution again after a predetermined amount is printed. It is this limitation found in the claims as they are claimed in the combination of which has not been found, taught or suggested by the prior art of record, which makes these claims allowable over the prior art.

The primary reason for the allowance of claims 4, 5 and 20 is the inclusion of the limitation of an ink jet recording apparatus including print control means which reads data from a storage means of an ink cartridge which, if incompatible and data is available from update data storage means, executes print operation based on the data available from update data storage means, and which if incompatible and no data is available from the update data storage means, executes print operation based on the data in the default data storage means. It is this limitation found in the claims as they are claimed in the combination of which has not been found, taught or suggested by the prior art of record, which makes these claims allowable over the prior art.

The primary reason for the allowance of claim 7 is the inclusion of the limitation of an ink jet recording apparatus including a determination section which executes printing using a general-purpose drive condition if ink information is out of normal setup range, wherein the general-purpose drive condition is set such that the pressure for

ejecting an ink droplet from the recording head is set larger than the optimum drive condition. It is this limitation found in the claim as claimed in the combination of which has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

The primary reason for the allowance of claim 8 is the inclusion of the limitation of an ink jet recording apparatus including a plurality of general-purpose drive conditions provided so that reliable printing can be executed in association with the number or ratio of incompatible pieces of attention ink information read from storage element with respect to normal setup range data. It is this limitation found in the claim as claimed in the combination of which has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

The primary reason for the allowance of claims 14 and 36 is the inclusion of the limitation of an ink jet recording apparatus including control means which determines compatibility of mounted ink cartridge based on data from storage means when the mounted ink cartridge is to be replaced. It is this limitation found in the claims as claimed in the combination of which has not been found, taught or suggested by the prior art of record, which makes these claims allowable over the prior art.

The primary reason for the allowance of claim 15 is the inclusion of the method step of generating caution again after a predetermined amount is printed if recording apparatus executes subsequent print operation upon input of a continuation instruction by a user. It is this step found in the claim, as claimed in the combination of, that has not

been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

The primary reason for the allowance of claims 16 and 27 is the inclusion of the method steps of executing print operation based on data available from update data storage means if ink cartridge is incompatible and data is available from update storage means and executing print operation based on data stored in default data storage means if ink cartridge is incompatible and no data is available from update storage means. It is these steps found in the claims, as claimed in the combination of, that has not been found, taught or suggested by the prior art of record, which makes these claims allowable over the prior art.

The primary reason for the allowance of claim 17 is the inclusion of the method step of setting the general-purpose drive condition such that pressure for ejecting ink droplets from the recording head is set larger than the optimum drive condition. It is this step found in the claim, as claimed in the combination of, that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

The primary reason for the allowance of claims 39-50 is the inclusion of the limitation of an ink jet printer including a determination section which compares a portion of information read from at least one data field with normal setup range and determines whether the read information has been damaged based on a result of the comparison and a mode selection section which selects one of an optimum mode using an optimum drive condition and a general-purpose mode using a general-purpose drive condition

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based on the determination by the determination section. . It is these limitations found in the claims, as claimed in the combination of, that has not been found, taught or suggested by the prior art of record, which makes these claims allowable over the prior art.

The primary reason for the allowance of claim 51 is the inclusion of the method step of determining whether read information has been damaged based on a result of comparison and

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Communications With The Examiner**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian D. Huffman whose telephone number is (571) 272-2147. The examiner can normally be reached on 9:30a.m.-6:00p.m. Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

OD

JH  
18 May 2005

KJH-5/05  
K. FEGGINS  
PRIMARY EXAMINER